

Superseded 7/1/2015

19-6-103 Solid and Hazardous Waste Control Board -- Members -- Terms -- Organization -- Meetings -- Per diem and expenses.

- (1) The board consists of the following nine members:
 - (a) the following non-voting member, except that the member may vote to break a tie vote between the voting members:
 - (i) the executive director; or
 - (ii) an employee of the department designated by the executive director; and
 - (b) the following eight voting members appointed by the governor with the consent of the Senate:
 - (i) one representative who:
 - (A) is not connected with industry;
 - (B) is an expert in waste management matters; and
 - (C) is a Utah-licensed professional engineer;
 - (ii) two government representatives who do not represent the federal government;
 - (iii) one representative from the manufacturing, mining, or fuel industry;
 - (iv) one representative from the private solid or hazardous waste disposal industry;
 - (v) one representative from the private hazardous waste recovery industry;
 - (vi) one representative from the public who represents:
 - (A) an environmental nongovernmental organization; or
 - (B) a nongovernmental organization that represents community interests and does not represent industry interests; and
 - (vii) one representative from the public who is trained and experienced in public health.
- (2) A member of the board shall:
 - (a) be knowledgeable about solid and hazardous waste matters as evidenced by a professional degree, a professional accreditation, or documented experience;
 - (b) be a resident of Utah;
 - (c) attend board meetings in accordance with the attendance rules made by the department under Subsection 19-1-201(1)(d)(i)(A); and
 - (d) comply with all applicable statutes, rules, and policies, including the conflict of interest rules made by the department in accordance with Subsection 19-1-201(1)(d)(i)(B).
- (3) No more than five of the appointed members may be from the same political party.
- (4)
 - (a) Members shall be appointed for terms of four years each.
 - (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that half of the appointed board is appointed every two years.
 - (c)
 - (i) Notwithstanding Subsection (4)(a), the term of a board member who is appointed before March 1, 2013, shall expire on February 28, 2013.
 - (ii) On March 1, 2013, the governor shall appoint or reappoint board members in accordance with this section.
- (5) Each member is eligible for reappointment.
- (6) Board members shall continue in office until the expiration of their terms and until their successors are appointed, but not more than 90 days after the expiration of their terms.
- (7) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term by the governor, after considering recommendations of the board and with the consent of the Senate.

- (8) The board shall elect a chair and vice chair on or before April 1 of each year from its membership.
- (9) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (10)
 - (a) The board shall hold a meeting at least once every three months including one meeting during each annual general session of the Legislature.
 - (b) Meetings shall be held on the call of the chair, the director, or any three of the members.
- (11) Five members constitute a quorum at any meeting, and the action of the majority of members present is the action of the board.